



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

AUG 21 2014

Mr. Timothy Bahr
Administrator
Hazardous Waste Program
Florida Department of Environmental Protection
600 Blair Stone Road
Tallahassee, Florida 32399-2400



SUBJ: RCRA Compliance Evaluation Inspection
Aqua Clean Environmental/Florida Recycling Solutions
EPA ID. No.: FLR 000 034 033

Dear Mr. Bahr:

On April 29, 2014, a Compliance Evaluation Inspection (CEI) was conducted by the U.S. Environmental Protection Agency and the Florida Department of Environmental Protection (FDEP) at the Aqua Clean Environmental/Florida Recycling Solutions facilities in Lakeland, Florida to determine the facility's compliance status with the Resource Conservation and Recovery Act (RCRA). This RCRA CEI was an EPA-lead inspection.

Enclosed is the EPA RCRA Site Inspection Report which indicates that deficiencies of RCRA regulations were discovered. The EPA considers this facility to be a Secondary Violator (SV).

If you have any questions regarding this matter, please contact Héctor M. Danois, of my staff, by telephone at (404) 562-8556 or by email at danois.hector@epa.gov.

Sincerely,

Larry Lamberth
Chief, South Enforcement and Compliance Section
RCRA and OPA Enforcement
and Compliance Branch

Enclosures



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CERTIFIED MAIL
RETURN RECEIPT REQUESTED

AUG 21 2014

Mike Zellars
Plant Manager
Aqua Clean Environmental/Florida Recycling Solutions
3210 Whitten Road
Lakeland, Florida 33811-1086

SUBJ: RCRA Compliance Evaluation Inspection
Aqua Clean Environmental/Florida Recycling Solutions
EPA ID. No.: FLR 000 034 033

Dear Mr. Zellars:

On April 29, 2014, a Compliance Evaluation Inspection (CEI) was conducted by the U.S. Environmental Protection Agency and the Florida Department of Environmental Protection (FDEP) at the Aqua Clean Environmental/Florida Recycling Solutions facilities in Lakeland, Florida to determine the facility's compliance status with the Resource Conservation and Recovery Act (RCRA). This RCRA CEI was an EPA-lead inspection.

Enclosed is the EPA RCRA Site Inspection Report which indicates that deficiencies of RCRA regulations were discovered. A copy of this report has also been forwarded to FDEP.

If you have any questions regarding this matter, please contact Héctor M. Danois, of my staff, by telephone at (404) 562-8556 or by email at danois.hector@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry L. Lamberth".

Larry L. Lamberth
Chief, South Enforcement and Compliance Section
RCRA and OPA Enforcement
and Compliance Branch

Enclosures

cc: Shannon Camp, FDEP SW District
Tim Bahr, FDEP Tallahassee

RCRA Inspection Report

1) Inspector and Author of Report

Héctor M. Danois
Environmental Engineer
RCRA Enforcement and Compliance Branch
EPA Region 4, AFC - 10th Floor
61 Forsyth Street
Atlanta, Georgia 30303
(404) 562 - 8556

2) Facility Information

Aqua Clean Environmental/Florida Recycling Solutions
3210 Whitten Road
Lakeland, Florida 33811-1086

EPA ID. No.: FLR 000 034 033

3) Responsible Official

Mike Zellars, Vice President/General Manager
Aqua Clean Environmental/Florida Recycling Solutions
863.644.0665
mszellars@acelkd.com

4) Inspection Participants

Mike Zellars	Aqua Clean Environmental/Florida Recycling Solutions
Shannon Camp	FDEP
Héctor M. Danois	U.S. EPA Region 4

5) Date of Inspection

April 29, 2014

6) Applicable Regulations

RCRA Sections 3005 and 3007
40 Code of Federal Regulations (C.F.R.) Parts 260 - 266, 268, 270 and 273
Chapters 403 & 378, F.S., and Chapters 62-710, 62-730, and 62-737 Florida Administrative Code (F.A.C.)

7) Purpose of Inspection

The purpose of the inspection was to conduct an unannounced U.S. Environmental Protection Agency Compliance Evaluation Inspection (CEI) and determine the facility's compliance status with the Resource Conservation and Recovery Act (RCRA).

8) Facility Description

Aqua Clean Environmental (ACE) and Florida Recycling Solutions (FRS) are sister corporations that share the facility and the EPA Identification Number. ACE is a registered transporter of used oil, used oil filters, and petroleum contact water (PCW). ACE also operates a centralized wastewater pretreatment facility at this location that discharges to the City of Lakeland sewer system. FRS is a permitted used oil processor and receives used oil transported by ACE. FRS is also permitted to process oil contaminated debris.

The facility is authorized to process used oil and accepts only non-hazardous, non-biological industrial wastewater, primarily from the following: petroleum contact water (PCW) consisting almost entirely of gasoline and water from specific sources, such as tank bottoms and storm water from gasoline containment systems with a sheen; industrial process wastewater; landfill leachate; wastewater from tank cleaning, transportation and environmental remediation sources.

9) Findings

On April 29, 2014, Héctor M. Danois with the EPA, along with Shannon Camp with FDEP, arrived at the facility. At approximately 10:00 a.m., Mr. Zellars received the inspectors. The inspectors introduced themselves, showed their credentials and explained the purpose of the visit. The following areas were inspected:

Facility/Tank Farm

The Facility consists of three tanks (#6, 7, and 8) with a total capacity of 90,000 gallons and one 9,200-gallon capacity tank (#9) utilized for used oil storage. These tanks are located in a concrete secondary containment structure that is sealed and impervious to petroleum products.

The facility handles loads of oily wastewater from car washes, used oil and PCW. The materials are received in bulk quantities transported in tank and/or vacuum trucks. The processing of these materials involves the following:

Oily Wastewater: Wastewater is sent through wastewater treatment to separate and remove oil. Wastewater is held in discharge tanks until analyzed for parameters required by the City of Lakeland POTW permit. Oil is transferred to the oil management tanks for further processing.

PCW: Material is phase separated and then transferred to the oil processing tanks. Water associated with the PCW is treated, held, analyzed and then discharged to the POTW.

Used Oil: Material is sent to the oil-processing portion of the facility where the oil is separated from the water. Samples are taken to determine characteristics of oil. Oil is transferred to tanks where it is heated, agitated and treated with de-emulsifiers. The treated oil is then left in tanks to cool for two to four days.

At the time of the inspection, the inspection team noticed hoses, for the used oil processing tanks, were placed outside the secondary containment structure.

ACE/FRS is in apparent violation of the Permit Condition: Part I. 32. - General and Standard Conditions. This condition requires that the permittee shall prevent the release of used oil, oily

waste or oily wastewater to the environment. The secondary containment systems shall be maintained in accordance with Attachment Nos. IV and V of the Permit Application and shall comply with the requirements of 40 C.F.R. § 279.54(c), required containers used to store or process used oil at processing and re-refining facilities must be equipped with a secondary containment system.

Used oil filter area

Used oil filters, received in 55-gallons drums, are crushed. The oil is removed and the metal sold for scrap. The drummed oil filters are stored on the pad under tank 17.

Solidification

Sludge bottoms from treatment tanks are sent to the solidification pad. The sludge is mixed with sawdust until the material passes the paint filter test for free liquids before being sent to the landfill.

Recordkeeping

Documents and records that the inspection team reviewed included weekly inspections, manifests, contingency plan, personnel hazardous waste management training documentation and certificates. At the time of the inspection, the inspection team noticed that the contingency plan was not updated to reflect changes of personnel.

Pursuant to F.A.C. 62-710.210(2), - Standards for the Management of Used Oil Management the Department adopts by reference 40 C.F.R. Part 279 revised as of July 1, 2004. ACE/FRS is in apparent violation of F.A.C. 62-710.210(2) (40 C.F.R. § 279.52(b)(2)(iv). This regulation requires the plan must list names, addresses, and phone numbers (office and home) of all persons qualified to act as emergency coordinators and this list must be kept up to date.

At the time of the inspection, the facility was not able to account for the oily solids that are managed and processed onsite, as defined in the current permit. These amounts have to be accurately noted on the FRS Annual Report.


ACE/FRS is in apparent violation of the Permit Condition: Part IV.1. c. and d. This condition requires the facility to account for the amount of solid waste accumulated at the permitted facility at any given time shall not exceed 50 55-gallon drums (or their equivalent volume) and three 35-cubic yard containers or trailers. The maximum amount of solid waste to be brought into and processed at the permitted facility shall not exceed 720 cubic yards per year.

The facility was not recording the EPA identification number of the used oil generators on records, when applicable. In addition, the facility was not maintaining records for rejected loads of used oil.

ACE/FRS is in apparent violation of 62-710.510 (1)(b). This regulation requires the facility to record the source of the used oil, including the name and street address of each source, and the EPA identification number of the source if the generator has one.

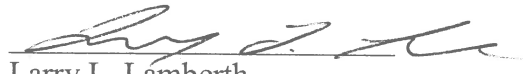
ACE/FRS is in apparent violation of the Permit Condition: Part I. 45(c). - General and Standard Conditions. This condition requires that the permittee shall maintain documentation of any shipment of used oil that is refused due to suspected mixing with hazardous waste in the facility operating record.

10) Signed


Hector M. Dansis
Environmental Engineer

8-14-14
Date

11) Concurrence


Larry L. Lamberth,
Chief, South Enforcement and Compliance Section
RCRA and OPA Enforcement and Compliance Branch

8/22/14
Date